

REMARKS

Claims 1-4, 7, 15, 19, 21 and 23 are pending in this application. By this Amendment, claims 5, 6, 8-12, 14, 16, 20, 22 and 24 are canceled without prejudice to or disclaimer of the subject matter recited therein. Independent claims 1 and 15 are amended to incorporate features from canceled claims 5 and 6. No new matter is added. Reconsideration of the Application is respectfully requested in light of the Amendments and the following remarks.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution, including incorporation of the subject matter of canceled dependent claims 5 and 6 into independent method claim 1 and corresponding device claim 15; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-16 (presumably also claims 19-24) over a Star Trek Next Generation television episode entitled "We'll Always Have Paris" in view of U.S. Patent No. 6,847,364 to Dichter. This rejection is respectfully traversed.

First, the Star Trek video clip does not form an enabling disclosure for any positional relationships or control of objects in a virtual space as recited in Applicants' independent claims 1 and 15. It is instead merely a fictional video of actors. It at best can be considered a showing of a very generalized concept of fictional time displacement. However, distilling an invention down to the "gist" disregards the requirement of analyzing the subject matter "as a whole." *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir.

1983), *cert. denied*, 469 U.S. 851 (1984). That is, regardless of the content of the clips, or generalizations made thereby, there is no disclosure that would have enabled one of ordinary skill in the art to practice the specific features allegedly disclosed in the video or as recited in the pending claims. Therefore, the Star Trek clip fails to overcome admitted deficiencies in Dichter.

Second, even accepting aspects of the Star Trek episode clips for what is shown (but not taught how to achieve), such features, even if impermissibly combined with Dichter, fail to render obvious any of the pending claims as will be discussed below in more detail.

Applicants, in an attempt to advance prosecution, cancel independent claims 8 and 16, as well as claims 9-12, 14, 20, 22 and 24 depending therefrom, rendering the rejection of these claims moot. Additionally, independent claims 1 and 15 are revised to incorporate features from canceled claims 5-6. These claims now recite that a plurality of effect objects are displayed at predetermined positional intervals at substantially the same time, with the plurality of effect objects showing a respective future sequential motion of the first object. Moreover, these claims recite locating, at plural locations, an object "showing a posture of the first object at a time in which the first object arrives at" each of the plurality of locations, as each of the plurality of effect objects. Moreover, these claims specify that the effect objects are "plate-like objects on which an image is mapped" and that the plurality of effect objects "intersect the moving direction by a predetermined angle." These features are lacking in the cited combinations of references.

The picture clips of the Star Trek episode discussed in the Office Action are alleged to show past, present and future characters (pictures 2-5). It is further alleged that as the present depiction of the character moves toward the other depictions, they merge together. Dichter is alleged to provide a 3-dimensional game effect in which a plurality of images are shown to represent animation in motion (figure 3). However, the images are not future images and

there is no discussion of specific details of the future images. With respect to the rejection of dependent claims 5 and 6, the Office Action alleges merely that Dichter calculates a plurality of locations, where an object may pass, that allow the object to be seen from a different view point (figure 4).

As admitted, there is only a single future effect object in the Star Trek episode, albeit is alleged that additional future objects could have been added. However, from the fictional television episode, the alleged present, future and past depictions of the character each move in their respective time frame independent of their counterparts. Thus, there is no display at predetermined positional intervals (of future effect objects) as recited because the movement path of each character is not the same and the future objects are not statically positioned at a location, but moving. This does not convey the same sense of 3-D movement of a moving object through future events, but instead conveys time displacement and multiple different occurring events, each with independently moving objects occurring simultaneously.

Moreover, in the Star Trek episode, only the first alleged character is standing at a fixed position. The middle character and the last character are shown walking towards the first character. Thus, there are two moving objects. As discussed, these appear to express the past, present and future of the characters.

In contrast, in the subject matter of independent claims 1 and 15, the plurality of effect objects are future objects located at a certain position, while only the first object moves. The effect objects thus do not move and are each located only at some future position of the first object. The first object sequentially moves into the position of each effect object. As the first object arrives at the position of an effect object, that effect object disappears. This is not achieved in the Star Trek episode or in the Dichter reference.

Moreover, there is no teaching in the Star Trek episode of locating at plural locations an object "showing a posture of the first object at a time at which the first object arrives at"

each of the plurality of locations. There also is no teaching or showing of a posture of an object at the time of future arrival in Dichter, or the rationale for modifying the Star Trek episode, which treats each object independently and allows movement of the effect objects (characters). Moreover, the Star Trek episode has no plate-like objects, but instead shows 3-D representations of each moving object. Thus, there are no plate-like objects on which an image is mapped, or an intersecting of the moving direction by a pre-determined angle as recited in the claims. Thus, rather than providing a plurality of future effect objects in the form of plate-like objects provided at predetermined locations in the movement path of a first moving object, the Star Trek episode provides 3-D representations of independently movable character objects.

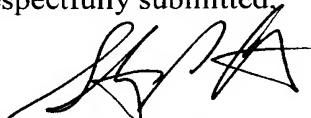
Therefore, for the foregoing reasons, independent claims 1 and 15 and claims dependent therefrom distinguish over the cited and applied combination of Star Trek and Dichter.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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